

REMARKS

Upon entry of the present amendment several paragraphs of the specification will have been amended to enhance clarity and to provide more specific and exact correspondence between the terms used in the claims, the terms used in the specification and the features illustrated in the drawings of the present application.

In addition, the terminology of several of the claims will be amended to enhance clarity. However, such amendments of the claims are not being made in view of the prior art of record and present application. Accordingly, no prosecution history estoppel should attach to any of the changes to the claims in the present application.

Further, several additional claim will have been submitted to afford Applicants the scope of protection to which they are entitled.

In the outstanding Official Action, the Examiner objected to the drawings under 37 C.F.R. § 1.83(a). The Examiner asserted that the magnetic body and the electrical conductor must be shown or these features be canceled from the claims.

In response, Applicants wish to make of record a brief telephone interview conducted on January 7, 2008 between Applicants undersigned representative and Examiner Grainger who is in charge of the present application. The Examiner is respectfully thanked for her courtesy and cooperation during the above noted interview, which was conducted in order to clarify the Examiner's intent with respect to the above noted objection to the drawings. During the above noted interview the Examiner indicated that while each of the terms referred to in the objection was contained in the

original specification, they were not associated, by explicit reference numerals, with the features and elements shown in the drawings.

Accordingly, and in view of the understanding gained as a result of the above-noted interview, Applicants have amended the specification to more explicitly refer to the above noted elements of Applicants' invention and to more clearly associate those terms with elements illustrated in the drawings. Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection to the drawings.

In this regard, Applicants respectfully submit that none of the above noted changes to the specification of the present application constitute the introduction of prohibited new matter. In particular, Applicants note that the "magnetic body" described in the present application can be considered to refer to e.g. the "opposed core 116" which is explicitly illustrated in figures 15a, 15b, 15c, and 16.

Yet additionally, the electrical conductor described in the present application can be considered to refer to e.g. the "suppression member 150" and the suppression member is explicitly illustrated in figures 29 and 30.

In order to even further clarify and emphasize the above noted features of Applicants' invention, by the present response, Applicants have amended the specification to clarify that the magnetic body is made of magnetic material and has magnetic properties. Both of these are self understood from and inherent in the term "magnetic body". Yet additionally, the electrical connector referred to Applicants' specification is now described as made of conductive material and has a conductive property. Both of these features are self understood when referring to an "electrical conductor". Additionally, when reference is made in the specification of the present

application to a high permeability material that has insulating properties, such as ferrite, it is understood that reference is being made to a magnetic body. Accordingly, none of these changes constitute prohibited new matter.

In the outstanding Official Action, the Examiner rejected claims 12 and 21 under 35 U.S.C. § 102 (b) as being anticipated by SEKIGUCHI et al. (U.S. Published Application No. 2003/0086736). For reasons as will be set forth hereinbelow, Applicants respectfully traverse the above noted rejection and submit that all of the claims in the present application are clearly patentable over the references of record herein. An action to such effect is respectfully requested, in due course.

Applicants note with appreciation the Examiner's indication that claims 1-9, 11, 13-20, 22, and 24 are allowed. Applicants additionally note with appreciation the indication of allowable subject matter with respect to claim 23. However, Applicants respectfully decline to rewrite claim 23 into independent form at least because claim 12, from which claim 23 depends, is submitted to be allowable over the applied prior art.

As noted above, Applicants respectfully traverse the Examiner's rejection asserted against claims 12 and 21. Applicants respectfully submit that SEKIGUCHI et al. does not teach, disclose, or render obvious the combination of features recited in Applicants' claim 12.

In setting forth the rejection, the Examiner asserted that the fixing roll is conductive and made reference to wire 15.

However, the fixing roll 7 of SEKIGUCHI et al. and the wire 15 do not comply with the recitations of Applicants' claim 12. In particular, claim 12 recites, inter alia, that the "calorific value distribution adjuster has an electrical conductor opposite said

magnetic flux generator". In direct contrast, the fixing roll 7 of SEKIGUCHI et al., comprises the induction heat generating element [0051]. Similarly, the excitation coil 5 of the heating assembly 1 is provided with in the fixing roll 7 and a supplied with electric power through a coil supply line 15. Accordingly, neither of these features of the SEKIGUCHI et al. disclosure, nor any other portion of the disclosure thereof complies with recitations of Applicants' claim 12. In this regard, Applicants note that claim 12 defines a heat producing medium, a magnetic flux generator, a temperature controller, and a calorific value distribution adjuster which has an electrical conductor opposite the magnetic flux generator. Such a combination of features is not taught, disclosed, or rendered obvious by SEKIGUCHI et al..

Accordingly, Applicants respectfully request reconsideration of the outstanding rejection of claims 12 and 21 as anticipated by SEKIGUCHI et al., together with an indication of the allowability of all of the claims in the present application, in due course. Such action is respectfully requested and is now believed to be appropriate and proper.

SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have made of record a telephone interview conducted with the Examiner in charge of the present application and have thanked her for her courtesy and cooperation in scheduling and conducting the above noted interview.

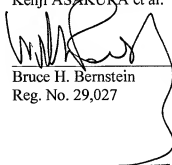
Applicants have amended the specification to enhance the clarity thereof as well as to provide a more exact basis for the features shown in the drawings. Applicants have pointed out and provided basis for such amendments in the original disclosure and have clearly shown that such amendments do not constitute prohibited new matter.

Regarding the prior art applied against the sole rejected pending independent claim, Applicants have discussed the disclosure of the applied prior art to point out the shortcomings thereof with respect to the rejected claim. Applicants have discussed the explicitly recited features of Applicants' claim and pointed out the deficiencies of the cited reference with respect thereto. Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all of the claims in the present application and respectfully request an indication to such effect, in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Kenji ASAKURA et al.

A handwritten signature in black ink, appearing to read 'Bruce H. Bernstein', is written over a horizontal line. The signature is stylized with a large, looping 'B' and 'H'.

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